

### **REMARKS**

This paper is responsive to an *Official Action* that issue in this case on April 18, 2008. According to that *Action*, applicant's reply to a previous action was not fully responsive. In particular, although the Office had finally withdrawn claims 19-27 from consideration as being directed to a non-elected invention, the listing of claims provided in the Amendment did not indicate that claim 19 was withdrawn. The Examiner required that "[a]pplicant is required to identify whether the claim (19) is withdrawn or not."

It is not clear to applicant whether the Examiner is requesting clarification on the status of claim 19 or simply a corrected claim listing. As a consequence, both will be provided.

Claim 19 stands withdrawn. Once the Examiner designates a requirement for restriction as "final," the *Examiner* withdraws the claims. See MPEP 821. Thus, claim 19 is withdrawn, regardless of whether or not applicant so indicates.

But the Rules require applicant to provide a listing of claims, including the status thereof. To that end, a listing is included that correctly identifies the status of claim 19 as "withdrawn."

If any other such minor issues arise, the Examiner is requested to telephone applicant's attorney so that they can be resolved in the most expeditious manner, thereby speeding prosecution of this case.

Respectfully,  
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